



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re the Application of:

BARCLAY

Serial No.: 09/639,426

Filed: August 15, 2000

Atty. File No.: 2997-1-3-1-3-DIV

For: "AQUACULTURE FEED
COMPOSITION INCLUDING
THRAUSTOCHYTRIALES
MICROFLORA"

) Group Art Unit: 1651

) Examiner: WARE, D.

) RESPONSE

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SHERIDAN ROSS P.C.

BY: *[Signature]*

Box Non-Fee Amendment
Commissioner of Patents
Washington, D.C. 20231

Dear Sir:

Applicant responds as follows to the Examiner's Action mailed on December 20, 2000.

REMARKS

The Examiner has rejected Claims 38-47 (which were numbered 76-85 in the Preliminary Amendment submitted on 15 August 2000) under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the Examiner has taken the position that Claim 38 is rendered vague and indefinite for failing to set forth the culture conditions used. The Examiner contends that the metes and bounds of the claims cannot be determined.

The rejection of Claims 38-47 under 35 U.S.C. 112, second paragraph, is respectfully traversed. It is respectfully submitted that one skilled in the art can readily determine whether an aquaculture feed composition falls within the scope of the claims. In particular, if the aquaculture